



House of Representatives

General Assembly

File No. 577

January Session, 2003

Substitute House Bill No. 6443

House of Representatives, April 29, 2003

The Committee on Government Administration and Elections reported through REP. O'ROURKE of the 32nd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT CONCERNING THE CONFIDENTIALITY OF CERTAIN
INSURANCE COMPANY STATEMENTS FILED WITH THE INSURANCE
COMMISSIONER.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-69a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) All financial analyses, financial examination workpapers,
4 operating and financial condition reports concerning any insurance
5 company, fraternal benefit society or health care center prepared by or
6 on behalf of or for the use of the Insurance Commissioner or the
7 Insurance Department examiner, shall be confidential unless such
8 documents are otherwise a matter of public record, or the
9 commissioner, in [his] the commissioner's opinion deems it in the
10 public interest to disclose or otherwise make available for public
11 inspection the information contained in such documents.

12 (b) Any supplemental compensation exhibit or stockholder
13 information supplement in an annual report filed with the
14 commissioner and prepared in accordance with the National
15 Association of Insurance Commissioners Annual Statement
16 Instructions shall be confidential and shall not be available for public
17 inspection if submitted by a nonprofit insurance company that has
18 fewer than one hundred fifty employees. The provisions of this
19 subsection shall not apply to information in such exhibit or
20 supplement concerning such company's three most highly
21 compensated officers.

This act shall take effect as follows:	
Section 1	October 1, 2003

GAE *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Insurance Dept.	IF - None	None	None

Note: IF=Insurance Fund

Municipal Impact: None

Explanation

The bill affects the confidentiality of certain information filed with the Insurance Commissioner and does not result in a fiscal impact.

OLR Bill Analysis

sHB 6443

AN ACT CONCERNING THE CONFIDENTIALITY OF CERTAIN INSURANCE COMPANY STATEMENTS FILED WITH THE INSURANCE COMMISSIONER**SUMMARY:**

This bill expands the scope of confidential information filed with the insurance commissioner.

The bill makes confidential and not available for public inspection the supplemental compensation exhibit or stockholder information in an annual report filed with her and prepared in accordance with the National Association of Insurance Commissioners (NAIC) Annual Statement Instructions if submitted by a nonprofit insurer with fewer than 150 employees. The confidentiality requirement does not apply to the compensation or stockholdings of the insurer's three most highly paid officers.

EFFECTIVE DATE: October 1, 2003

BACKGROUND***Confidential Information***

Current law, unchanged by the bill, makes insurance company, fraternal benefit society, and health care center financial analyses, financial examination work papers, and operating and financial condition reports prepared by, or on behalf of, or for the use of the Insurance Commissioner or Insurance Department examiners confidential unless they are otherwise a matter of public record or the commissioner determines it is in the public interest to disclose or otherwise makes them available for public inspection.

Legislative History

On April 9, the House referred the bill (File 132) to the

Government Administration and Elections Committees. On April 15, the committee voted favorably a substitute bill, which created an exception from the confidentiality requirement for the insurer's most highly paid officers.

COMMITTEE ACTION

Insurance and Real Estate Committee

Joint Favorable Substitute

Yea 16 Nay 0

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14 Nay 2